

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP  
IMPLANT PRODUCTS LIABILITY LITIGATION**

MDL No. 2197

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO –216)**

On December 3, 2010, the Panel transferred 7 civil action(s) to the United States District Court for the Northern District of Ohio for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 753 F.Supp.2d 1378 (J.P.M.L. 2010). Since that time, 1,272 additional action(s) have been transferred to the Northern District of Ohio. With the consent of that court, all such actions have been assigned to the Honorable David A Katz.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Ohio and assigned to Judge Katz.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Ohio for the reasons stated in the order of December 3, 2010, and, with the consent of that court, assigned to the Honorable David A Katz.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Ohio. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7–day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

**Nov 01, 2013**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

I hereby certify that this instrument is a true and correct copy of the original on file in my office.

Attest: Geri M. Smith, Clerk

U.S. District Court  
Northern District of Ohio

By: s/R Schumitsh  
Deputy Clerk



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**SCHEDULE CTO-216 – TAG-ALONG ACTIONS**

<b><u>DIST</u></b>	<b><u>DIV.</u></b>	<b><u>C.A.NO.</u></b>	<b><u>CASE CAPTION</u></b>
FLORIDA MIDDLE			
FLM	8	13-02652	Pita v. DePuy Orthopaedics, Inc.
MISSOURI EASTERN			
MOE	4	13-02103	Burtchaell et al v. DePuy Orthopaedics, Inc. et al
MOE	4	13-02105	Koehn et al v. DePuy Orthopaedics, Inc. et al
MOE	4	13-02106	Lepard et al v. DePuy Orthopaedics, Inc. et al
MONTANA			
MT	6	13-00062	Birmingham v. DePuy Orthopaedics, Inc. et al
MT	6	13-00063	Fischer v. Depuy Orthopaedics et al
MT	6	13-00064	Franz v. DePuy Orthopaedics, Inc. et al
MT	6	13-00065	Hulett v. Depuy Orthopaedics et al
MT	6	13-00066	Zimmerman v. DePuy Orthopaedics, Inc. et al